

Exhibit 4

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

ANDREW COLBORN,

COPY

Plaintiff,

-vs-

CIVIL ACTION NO. 19-CV-0484-BHL

NETFLIX, INC., ET AL.,

VOLUME I

Defendants.

VIDEOTAPED DEPOSITION OF

ANDREW L. COLBORN

DATE: July 21, 2022

TIME: 9:23 a.m. - 5:22 p.m.

LOCATION: Godfrey & Kahn, S.C.
833 East Michigan Street
Suite 1800
Milwaukee, Wisconsin 53202

REPORTED BY:
Paula Huettenrauch, RMR, CRR
365Reporting, LLC

VIDEOGRAPHER:
Jon Hansen, CLVS
Video Concepts
608.408.7411

A P P E A R A N C E S

LAW FIRM OF CONWAY, OLEJNICZAK & JERRY, S.C., BY
R. GEORGE BURNETT, ATTORNEY AT LAW
231 South Adams Street
Green Bay, Wisconsin 54301
Gb@lcojlaw.com
appeared on behalf of the Plaintiff.

ROCKSTEAD LAW, LLC, BY
APRIL ROCKSTEAD BARKER, ATTORNEY AT LAW
525 North Lincoln Avenue
Beaver Dam, Wisconsin 53916
aprilrbarker@rocksteadlaw.com
appeared on behalf of the Plaintiff.

BALLARD SPAHR LLP, BY
LEITA WALKER, ATTORNEY AT LAW
2000 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402
walkerl@ballardspahr.com
appeared on behalf of Netflix, Inc.

BALLARD SPAHR LLP, BY
ISABELLA SALOMAO NASCIMENTO, ATTORNEY AT LAW
2000 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402
salomaonascimento@ballardspahr.com
appeared on behalf of Netflix, Inc.

BALLARD SPAHR LLP, by
EMMY S. PARSONS, ATTORNEY AT LAW
1909 K Street NW, Suite 1200
Washington, DC 20006-1157
parsonse@ballardspahr.com
appeared via Zoom videoconference on
behalf of Netflix, Inc.

1 BALLARD SPAHR LLP, by
2 MATTHEW E. KELLEY, ATTORNEY AT LAW
3 1909 K Street NW, Suite 1200
4 Washington, DC 20006-1157
kelley@ballardspahr.com
appeared via Zoom videoconference on
behalf of Netflix, Inc.

5
6 JASSY VICK CAROLAN LLP, by
7 KEVIN L. VICK, ATTORNEY AT LAW
8 355 South Grand Avenue, Suite 2450
9 Los Angeles, California 90071
kvick@jassyvick.com
appeared on behalf of Chrome Media LLC,
Laura Ricciardi, and Moira Demos.

10 JASSY VICK CAROLAN LLP, by
11 MEGHAN E. FENZEL, ATTORNEY AT LAW
12 355 South Grand Avenue, Suite 2450
13 Los Angeles, California 90071
mfenzel@jassyvick.com
appeared via Zoom videoconference on
14 behalf of Chrome Media LLC, Laura Ricciardi, and
15 Moira Demos.

16 ***

17 ALSO PRESENT:

18 Debra Bursik, Paralegal

19 Moira Demos, Defendant

20 Laura Ricciardi, Defendant

21 Melinda LeMoine, Director, Litigation, Netflix, Inc.

1 Q But for all you know, Netflix was saying in
2 that document, "Hold another second if you can, but
3 we understand that court footage may not exist, and
4 so we understand if you can't." You don't know
5 because you haven't seen that document, correct?

6 A Right.

7 Q Okay.

8 A Yes. Correct.

9 Q You talked about some of the music. I don't
10 know what page that was from, but there was a
11 reference here to good danger music; is that right?

12 A Yes.

13 Q Okay. And we talked about -- I mean, the
14 subject matter of Making a Murderer did involve a
15 murder, correct?

16 A Uh-huh. Yes.

17 Q And a horrific crime, correct?

18 A Yes.

19 Q And a dangerous perpetrator, correct?

20 A Yes.

21 Q So there's nothing really inappropriate
22 about using, quote-unquote, danger music with that
23 subject matter, correct?

24 MR. BURNETT: Objection, foundation.

25 Q You can answer.

1 A The rest of it is, "Approving as good
2 'danger' music under scoring accompanying images of
3 Plaintiff." So why are we only using the danger
4 music when we're showing images of myself?

5 Q Oh, well, I think it says, "Accompanying
6 images of Plaintiff walking Plaintiff out of court."
7 I'm not sure whose typo that is, but I think it's,
8 "Accompanying images of Plaintiff walking Avery out
9 of court." Avery was, in your mind, a dangerous
10 criminal, correct?

11 A Uh-huh.

12 Q Okay. So it would be appropriate to use
13 danger music in that sort of scene, correct?

14 A I --

15 MR. BURNETT: Objection, foundation.
16 Go ahead.

17 A I've also observed in the clips that were
18 shown to me that I'm just sitting there and there's
19 danger music, or someone else will be talking and
20 they'll put a picture of me up there and accompany
21 that with danger music.

22 Q You testified earlier you didn't remember
23 the music, Mr. Colborn.

24 A No. I thought I said -- you asked me if --
25 what I considered danger music, and I said music that

CERTIFICATION PAGE

STATE OF WISCONSIN)

MILWAUKEE COUNTY)

I, PAULA M. HUETTENRAUCH, RMR, CRR,
Notary Public in and for the State of Wisconsin, do
hereby certify:

That prior to being examined, the
deponent named in the foregoing deposition,
ANDREW L. COLBORN, was by me duly sworn to testify
the truth, the whole truth, and nothing but the
truth.

That said deposition was taken before
me at the time, date, and place set forth; and I
hereby certify the foregoing is a full, true, and
correct transcript of my shorthand notes so taken and
thereafter reduced to computerized transcription
under my direction and supervision.

I further certify that I am neither
counsel for nor related to any party to said action,
nor in any way interested in the outcome thereof; and
that I have no contract with the parties, attorneys,
or persons with an interest in the action that
affects or has a substantial tendency to affect
impartiality, or that requires me to provide any
service not made available to all parties to the
action.

IN WITNESS WHEREOF, I have hereunto
subscribed my name this 28th day of July, 2022.

Paula Huettenrauch

Paula M. Huettenrauch, RMR, CRR
Notary Public - State of Wisconsin

My Commission Expires 8/18/2023



UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

ANDREW COLBORN,

COPY

Plaintiff,

-vs-

CIVIL ACTION NO. 19-CV-0484-BHL

NETFLIX, INC., ET AL.,

VOLUME II

Defendants.

CONTINUED VIDEOTAPED DEPOSITION OF

ANDREW L. COLBORN

DATE: July 22, 2022

TIME: 9:02 a.m. - 4:40 p.m.

LOCATION: Godfrey & Kahn, S.C.
833 East Michigan Street
Suite 1800
Milwaukee, Wisconsin 53202

REPORTED BY:
Paula Huettenrauch, RMR, CRR
365Reporting, LLC

VIDEOGRAPHER:
Jon Hansen, CLVS
Video Concepts
608.408.7411

A P P E A R A N C E S

LAW FIRM OF CONWAY, OLEJNICZAK & JERRY, S.C., BY
R. GEORGE BURNETT, ATTORNEY AT LAW
231 South Adams Street
Green Bay, Wisconsin 54301
Gb@lcojlaw.com
appeared on behalf of the Plaintiff.

ROCKSTEAD LAW, LLC, BY
APRIL ROCKSTEAD BARKER, ATTORNEY AT LAW
525 North Lincoln Avenue
Beaver Dam, Wisconsin 53916
aprilrbarker@rocksteadlaw.com
appeared on behalf of the Plaintiff.

BALLARD SPAHR LLP, BY
LEITA WALKER, ATTORNEY AT LAW
2000 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402
walkerl@ballardspahr.com
appeared on behalf of Netflix, Inc.

BALLARD SPAHR LLP, BY
ISABELLA SALOMAO NASCIMENTO, ATTORNEY AT LAW
2000 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402
salomaonascimento@ballardspahr.com
appeared on behalf of Netflix, Inc.

BALLARD SPAHR LLP, by
EMMY S. PARSONS, ATTORNEY AT LAW
1909 K Street NW, Suite 1200
Washington, DC 20006-1157
parsonse@ballardspahr.com
appeared via Zoom videoconference on
behalf of Netflix, Inc.

1 BALLARD SPAHR LLP, by
2 MATTHEW E. KELLEY, ATTORNEY AT LAW
3 1909 K Street NW, Suite 1200
4 Washington, DC 20006-1157
kelley@ballardspahr.com
appeared via Zoom videoconference on
behalf of Netflix, Inc.

5
6 JASSY VICK CAROLAN LLP, by
7 KEVIN L. VICK, ATTORNEY AT LAW
8 355 South Grand Avenue, Suite 2450
9 Los Angeles, California 90071
kvick@jassyvick.com
appeared on behalf of Chrome Media LLC,
Laura Ricciardi, and Moira Demos.

10 JASSY VICK CAROLAN LLP, by
11 MEGHAN E. FENZEL, ATTORNEY AT LAW
12 355 South Grand Avenue, Suite 2450
13 Los Angeles, California 90071
mfenzel@jassyvick.com
appeared via Zoom videoconference on
14 behalf of Chrome Media LLC, Laura Ricciardi, and
15 Moira Demos.

16 ***

17 ALSO PRESENT:

18 Debra Bursik, Paralegal

19 Moira Demos, Defendant

20 Laura Ricciardi, Defendant

21 Melinda LeMoine, Director, Litigation, Netflix, Inc.

1 Q Okay. The third block here on Exhibit 8,
2 you said, "I did" --

3 A Same page, ma'am?

4 Q Yeah.

5 A Okay.

6 Q You said, "I did have numerous law
7 enforcement officers both within my own agency and in
8 agencies outside my own that, yes, did support me
9 100 percent, yes." Did I read that correctly?

10 A Yes.

11 Q And you were truthful with the interviewers,
12 correct?

13 A So, again, I don't know the question, but
14 yes, I answered the questions that were put to me
15 truthfully.

16 Q If you could flip to page 360.

17 A The same exhibit here?

18 Q Yes.

19 A Okay.

20 Q The second block begins, "I guess that's."
21 Do you see that?

22 A Yes.

23 Q You say, "I guess that's" -- and then you
24 laugh, apparently. "To answer your question, I
25 haven't been -- like no one has confronted me. I

1 think a lot of these people are -- they're content to
2 attack from behind their computer keyboard." Did I
3 read that correctly?

4 A Yes.

5 Q Okay. So you told me today about Kevin
6 Hartlaub?

7 A Yes.

8 Q No one else has confronted you, correct?

9 A So sending a bomb to my mailbox, would you
10 consider that confronting me personally or would we
11 call that doing it from another state and I didn't
12 really get to see the person?

13 Q Well, I guess I'll ask you what you meant
14 when you made this statement to the makers of
15 Convicting a Murderer.

16 A I believe somewhere else in Convicting a
17 Murderer I discussed that. So that's what I mean. I
18 don't know what the question is, so that -- it's hard
19 for me to give you a definitive answer when I don't
20 know the question I was being asked. All I see is my
21 own response, but I can't give you another example
22 beyond the one I just gave you about, like, somebody
23 showing up at my house, although there's been several
24 times that I found vehicles parked in front of my
25 house for no absolute reason. I lived on a dead-end

1 road at the time, and I confronted them and got, "Oh,
2 I'm lost," "Oh, I'm texting." It's always something
3 that they're doing, but it just seems odd that
4 they're picking Victoria Drive to do that when prior
5 to the release of Making a Murderer they won't --
6 they didn't.

7 Q So I believe you said you confronted them?

8 A Yes, I would make contact with them. So I
9 don't know if they're filming my house or what, but I
10 can't give you another example other than that.

11 Q Okay. If you could flip to page 362 --

12 A Okay.

13 Q -- of the same exhibit.

14 A Got it.

15 Q In the top box --

16 A Yes.

17 Q -- one, two, three, four -- eight lines
18 down.

19 A Where it says, "To tell you the truth"?

20 Q Yeah. I'm even going to go a little
21 further. Go two more lines down from there. Toward
22 the end it says, "I don't make friends easy." Do you
23 see that?

24 A Yes.

25 Q And it continues, "I'm an introverted

CERTIFICATION PAGE

STATE OF WISCONSIN)

MILWAUKEE COUNTY)

I, PAULA M. HUETTENRAUCH, RMR, CRR,
Notary Public in and for the State of Wisconsin, do
hereby certify:

That prior to being examined, the
deponent named in the foregoing deposition,
ANDREW L. COLBORN, was by me duly sworn to testify
the truth, the whole truth, and nothing but the
truth.

That said deposition was taken before
me at the time, date, and place set forth; and I
hereby certify the foregoing is a full, true, and
correct transcript of my shorthand notes so taken and
thereafter reduced to computerized transcription
under my direction and supervision.

I further certify that I am neither
counsel for nor related to any party to said action,
nor in any way interested in the outcome thereof; and
that I have no contract with the parties, attorneys,
or persons with an interest in the action that
affects or has a substantial tendency to affect
impartiality, or that requires me to provide any
service not made available to all parties to the
action.

IN WITNESS WHEREOF, I have hereunto
subscribed my name this 28th day of July, 2022.



Paula M. Huettenrauch, RMR, CRR
Notary Public - State of Wisconsin

My Commission Expires 8/18/2023

